

**ORDINANCE NO. 20070517-057**

**AN ORDINANCE AMENDING SECTION 25-8-514 (A) OF THE CITY CODE, WAIVING SECTION 25-8-213 (D), AND GRANTING A VARIANCE TO SECTIONS 25-8-483 OF THE CITY CODE TO ALLOW CONSTRUCTION OF THE ZION REST BAPTIST CHURCH FACILITY AND PARKING AT 3341 PAISANO TRAIL.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** This ordinance grants specific variance, waiver, and city code ordinance amendments necessary to allow construction of a church facility and associated parking located at 3341 Paisano Trail. The variance, waiver, and amendments granted in this ordinance are limited to the construction of Zion Rest Baptist Church and associated parking and do not run with the land.

**PART 2.** Section 25-8-514 (A) (*Pollution Prevention Required*) of the City Code is amended to allow impervious cover in excess of 15% in the recharge zone and to allow water quality controls designed and constructed under Section 25-8-213 (A), (B), and (C) (*Water Quality Control Standards*) of the City Code.

**PART 3.** A waiver is granted from Section 25-8-213 (D), so that water quality controls on the site are not required to meet Barton Springs Zone requirements.

**PART 4.** A variance is granted from Section 25-8-483 (*Water Quality Transition Zone*) of the City Code to allow construction in the water quality transition zone of:

- (A) Detention facilities,
- (B) Water quality controls, and
- (C) Portions of the church facility and driveways.

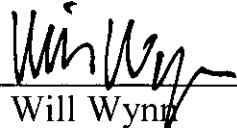
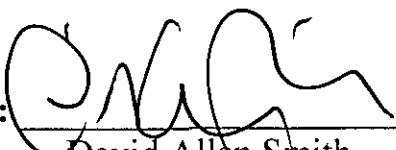
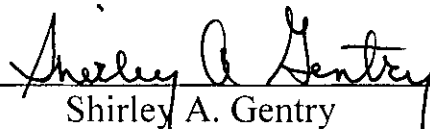
**PART 5.** The amendments, waiver, and variance granted in this ordinance are effective only upon the satisfaction of the following conditions:

- (1) The applicant shall comply with all City Code requirements not specifically amended, waived, or varied under this ordinance;
- (2) The applicant will evaluate the use of integrated pest management, pervious paving for pedestrian surfaces, landscaping using native or adapted plants recommended by the City's Grow Green program, and incorporate such enhancements where feasible;

- (3) Parking shall not be located within the critical water quality zone or the water quality transition zone;
- (4) The church facility and parking shall not be located wholly or partially within the fully developed 100 year floodplain; and
- (5) Total impervious cover for the site shall not exceed 131,935 square feet, with no more than 13,740 square feet of impervious cover in the water quality transition zone.

**PART 6.** This ordinance takes effect on May 28, 2007.

**PASSED AND APPROVED**

_____ May 17, 2007	§ § §	_____  Will Wynn Mayor
APPROVED: _____  David Allan Smith City Attorney	ATTEST: _____  Shirley A. Gentry City Clerk	